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State Superintendent of Public Instruction

**CALIFORNIA
DEPARTMENT
OF
EDUCATION**

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December 7, 2001

To: County and District Superintendents
Attention: Instructional Materials Coordinators
Charter School Administrators

From: Janet Sterling, Director
School Fiscal Services Division

Subject: State Instructional Materials and Library Programs, Fiscal Year 2001-02

This letter provides detailed information on the K-8 Instructional Materials program and a more general overview of the Schiff-Bustamante Standards-Based Instructional Materials Program, the California Classroom Library Materials Act of 1999, and the California Public School Library Act of 1998. Information on the provisions of the grades 9-12 Instructional Materials program was provided in the September 28, 2001 apportionment letter.

I. Annual K-8 Instructional Materials

The funding rate established by the State Board of Education (SBE) for the K-8 Instructional Materials Fund is \$33.08 per 2001-02 K-8, second period average daily attendance (P-2 ADA). This rate includes a 3.87 percent cost-of-living adjustment.

Application for ADA Growth

If a local educational agency (LEA) anticipates an increase in the K-8 ADA between its actual 2000-01 P-2 ADA and its projected 2001-02 P-2 ADA, the LEA may apply for a growth adjustment. Charter schools that are **NOT** in the block grant funding model are also eligible for growth adjustment. However, they must send the growth application through their chartering agency which must submit the official growth request for the charter school. Applicants for a growth adjustment must write a letter indicating the ADA growth and the new estimated 2001-02, K-8 P-2 ADA. **Please include the county and, if applicable, school district codes in your request. For county offices of education, the request must be signed by the county superintendent of schools or authorized designee. For school districts, the request must be signed by the school district superintendent or authorized designee and approved by the county superintendent of schools or authorized designee.**

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The county office of education must forward the approved requests to the School Fiscal Services Division; however, to ensure our timely receipt of the requests, LEAs should mail or fax a copy of the original (without the county superintendent's approval) directly to:

Carol Presnell
California Department of Education
School Fiscal Services Division
560 J Street, Suite 150
Sacramento, CA 95814
FAX: (916) 327-4873

All growth requests must be received by **January 15, 2002.**

The K-8, Instructional Materials program is included in the charter school block grant funding model pursuant to Chapter 6 (commencing with Section 47630) of the *Education Code*. Therefore, charter schools that are participating in the model will receive their funding for this program as part of the categorical component of the charter school block grant, which will be allocated as part of the principal apportionment. Charter schools that are not participating in the charter school block grant funding model will receive their funding for ADA growth through their chartering agency.

LEAs that apply for an ADA growth adjustment will receive their apportionment in March 2002. If the projected 2001-02 P-2 ADA growth does not materialize, the LEA's K-8 instructional materials apportionment for the 2002-03 fiscal year will be reduced accordingly.

Disaster fund

Education Code Section 60240(c)(2) provides a reserve to pay for the cost of replacing instructional materials lost or destroyed by reason of fire, theft, natural disaster, or vandalism. LEAs may file claims up to a maximum of \$5,000 or the LEA's insurance deductible amount, whichever is less, per loss occurrence for current state-adopted instructional materials purchased with the state allowance. Charter schools that are **NOT** in the block grant funding model are also eligible for disaster funding. However, they must submit the disaster funding application through their chartering agency which must submit the official request for disaster funding for the charter school.

In the claim, include the following information: a) a copy of the LEA's/charter school's insurance deductible, b) a copy of the incident report (police or fire department), c) an itemized list of instructional materials that were damaged/destroyed, and d) a signed statement from the school district superintendent or authorized designee stating that the destroyed materials were purchased with funds from the State Instructional Materials program.

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Requests for disaster funds should be mailed as soon as possible after the occurrence directly to:

Carol Presnell
California Department of Education
School Fiscal Services Division
560 J Street, Suite 150
Sacramento, CA 95814

Expenditure of funds

As specified by the SBE, all K-8 allowances and interest earned must be spent on instructional materials in the following percentages:

- (A) At least 70 percent of the allotment must be used for basic instructional materials adopted by the SBE. LEAs may petition the SBE to obtain nonadopted basic instructional materials with the 70 percent portion of the allotment, if it will benefit the instructional program of the LEA.
- (B) Up to 30 percent of the entitlement may be used to purchase the following:
 - nonadopted basic and supplementary materials which have passed legal compliance review at the state level;
 - instructional materials that are exempt from a legal compliance review, such as trade books, maps and globes, reference materials (including dictionaries), math manipulatives, and hand-held calculators;
 - instructional materials that are designed for use by pupils and their teachers as a learning resource, are integral to a program, but do not contain print or pictures, and therefore, do not need a legal compliance review.
- (C) Up to 5 percent of the 30 percent in Category B may be used to purchase any instructional materials that are found to be in legal compliance at the local level. This 5 percent may also be used to purchase tests and in-service training, and to bind textbooks that are otherwise usable and are on the most recent list of basic instructional materials adopted by the SBE and made available pursuant to *Education Code* Section 60200.

NOTE: An assurance must be submitted to the California Department of Education (CDE) for the prior fiscal year certifying that each LEA maintaining any grade from kindergarten to grades one through eight has complied with the above expenditure policy. This assurance is a requirement for receipt of K-8 instructional materials funds. The assurance forms are mailed to each county office of education in May of each year and must be returned by June 28.

In addition to the expenditure guidelines, the SBE at their July 9, 1998 meeting approved the following as an amendment to their Instructional Materials Fund (IMF) policy. At their June 8, 2000 meeting, this amendment was extended through June 30, 2002:

During the 1998-99, 1999-00, 2000-01 and 2001-02 school years (July 1, 1998 through June 30, 2002), LEAs may spend up to 100 percent of their IMF on core or supplementary instructional materials from any source suitable for instruction in the "Structured English Immersion" program [*Education Code* sections 300-340 (Proposition 227)], provided that:

1. Those materials are core materials or supplementary materials that will help students develop skills in English (reading, writing, and understanding); and
2. The local governing board certifies in a public meeting that the materials are appropriate for the "Structured English Immersion" program described under Proposition 227; and
3. The local governing board has reviewed the alignment of the materials with the SBE approved content standards in language arts.

II. Schiff-Bustamante Standards-Based Instructional Materials

During the 1998-99 fiscal year, the legislature enacted Assembly Bill 2041 (Chapter 324, Statutes of 1998) and appropriated \$1 billion to be distributed over the next four years. This is the final year of the four-year \$1 billion program created by this legislation. For the 2001-02 fiscal year, the rate per pupil using the October 2000 California Basic Educational Data System (CBEDS) enrollment data is \$41.86. Funds were apportioned September 28, 2001.

For grades K-8, these funds must be used to purchase instructional materials that are on the most recently adopted instructional materials list (from March 1999) and are aligned with the state content standards adopted by the SBE in 1997 and 1998. For lists of these materials, and a price list, please refer to the following Web site: <http://www.cde.ca.gov/cilbranch/>.

For grades 9-12, these funds must be used to purchase core instructional materials that have been adopted by the local governing board. In addition, the local governing board must certify in a resolution that these materials are aligned with the state content standards adopted by the SBE.

The Schiff-Bustamante Standards-Based Instructional Materials program is included in the charter school block grant funding model pursuant to Chapter 6 (commencing with Section 47630) of the *Education Code*. Therefore, charter schools that are participating in the model will receive their funding for this program as part of the categorical component of the charter school block grant, which will be allocated as part of the principal apportionment. Charter schools that are not participating in the charter school block grant funding model will receive their funding for this program through their chartering agency.

NOTE: Each LEA is required to submit an assurance to the CDE for the prior fiscal year certifying that it has complied with the expenditure requirements of these funds. The assurance forms will be sent to each county office of education in May 2002 and must be returned by June 28.

III. Annual Public Hearing

LEAs, prior to expenditure of the K-8 and 9-12 Instructional Materials funds and the Schiff-Bustamante Standards-Based Instructional Materials funds, must ensure that they have fully complied with the requirements of *Education Code* Section 60119, the public hearing regarding the sufficiency of instructional materials in the school district or the county office of education.

In addition, please ensure that a notice is posted ten days prior to the actual hearing, and is posted in at least three public places. A resolution attesting to the sufficiency or insufficiency of instructional materials must be adopted at the public hearing. Proof of compliance need not be submitted to the CDE; however, LEAs must be prepared to present proof of compliance with this section.

IV. California Classroom Library Materials Act of 1999

The 2001 Budget Act appropriated \$25 million in support of the California Classroom Library Materials Act of 1999 pursuant to Article 8 (commencing with Section 18200) of the *Education Code*. The funding rate for this program is approximately \$10.28 per pupil using the October 2000 CBEDS enrollment data for kindergarten and grades one through four. The apportionment will be certified in March 2002.

The California Classroom Library Materials Act of 1999 is not included in the charter school block grant funding model pursuant to Chapter 6 (commencing with Section 47630) of the *Education Code*. Charter schools that are direct-funded under the block grant funding model must submit their application separately in order to receive these funds. Charter schools that are locally funded, whether or not they are participating in the block grant funding model, need not submit a separate application. The Classroom Library funds for locally funded charter schools will be included in the chartering agency's apportionment.

Our Curriculum Frameworks and Instructional Resources Office has recently distributed an informational letter regarding the development of a classroom library plan and the expenditure of funds. This letter is also available on the CDE Web site at: www.cde.ca.gov/library/.

V. California Public School Library Act of 1998

The 2001 Budget Act appropriated \$158.5 million in support of the California Public School Library Act of 1998 pursuant to Article 7 (commencing with Section 18180) of the *Education Code*. The funding rate per ADA using the 2000-01 P-2 ADA is approximately \$27.82. The apportionment will be certified in March 2002.

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The California Public School Library Act is not included in the charter school block grant funding model pursuant to Chapter 6 (commencing with Section 47630) of the *Education Code*. Charter schools that are direct-funded under the block grant funding model must submit their application separately in order to receive these funds. Charter schools that are locally funded, whether or not they are participating in the block grant funding model, need not submit a separate application. The School Library funds for locally funded charter schools will be included in the chartering agency's apportionment.

Our Curriculum Frameworks and Instructional Resources Office has recently distributed an informational letter regarding the recertification of the prior year school library plan and the expenditure of funds. This letter is also available on the CDE Web site at:
www.cde.ca.gov/library.

VI. Questions

For questions regarding instructional materials apportionments, disaster funding, and application for ADA growth, please contact Carol Presnell at (916) 323-6191 or by e-mail (cpresnel@cde.ca.gov), or Ging Tucker at (916) 324-4536 or by e-mail (gtucker@cde.ca.gov).

For specific program areas, please contact the following people:

<u>Program</u>	<u>Name</u>	<u>Area Code (916)</u>	<u>E-Mail Address</u>
Structured English Immersion materials	Sandi Adams	657-3027	sadams@cde.ca.gov
School and Classroom Libraries			
Program Contact	Barbara Jeffus	654-6161	bjeffus@cde.ca.gov
Fiscal Contact	Julie Brucklacher	327-4406	jbruckla@cde.ca.gov
Schiff-Bustamante Standards Based Instructional Materials (AB 2041)			
Program Contact	Sandi Adams	657-3027	sadams@cde.ca.gov
Fiscal Contact	Carol Presnell	323-6191	cpresnel@cde.ca.gov